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Attorneys for Plaintiff
ORACLE AMERICA, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE, INC.

Defendant.

Case No. CV 10-03561 WHA

**DECLARATION OF FRED NORTON IN
SUPPORT OF ORACLE AMERICA,
INC.'S OPPOSITION TO GOOGLE,
INC.'S DAUBERT MOTION**

Dept.: Courtroom 9, 19th Floor
Judge: Honorable William H. Alsup

1 I, FRED NORTON, declare as follows:

2 1. I am a partner with the law firm of Boies, Schiller & Flexner LLP, attorneys for plaintiff
3 Oracle America, Inc. in the above captioned matter, and admitted to practice before this Court.

4 2. I make this declaration based on my own personal knowledge. If called as a witness, I
5 could and would testify competently as to the matters set forth herein.

6 3. Attached hereto as **Exhibit A** is a true and correct copy of excerpts of a document titled
7 Declaration of Jonathan D. Putnam In Support of AU Optronics Corporation's Reply Brief In Support
8 of Its Motion For Permanent Injunction, *LG Display Co., Ltd. v. AU Optronics Corp., et. al.*, C.A. No.
9 06-726-JJF, C.A. No. 07-357-JJF, C.A. No. 08-355-JJF, (D. Del.), Dkt. No. 1588, dated as filed August
10 17, 2010.

11 4. Attached hereto as **Exhibit B** is a true and correct copy of excerpts of the transcript of the
12 deposition of Dr. Iain M. Cockburn, taken on February 10, 2012.

13 5. Attached hereto as **Exhibit C** is a true and correct copy of excerpts of a document titled
14 Order on Motions in Limine, *Medical Instrumentation & Diagnostics Corp. v. Elekta AB, et al.*, No.
15 97-CV-2271 (S.D. Cal.), Dkt. No. 464, dated January 10, 2002.

16 6. Attached hereto as **Exhibit D** is a true and correct copy of excerpts of the transcript of the
17 deposition of Peter Kessler, taken on February 16, 2012.

18 7. Attached hereto as **Exhibit E** is a true and correct copy of excerpts of the transcript of the
19 deposition of Chris Plummer, taken on February 16, 2012.

20 8. Attached hereto as **Exhibit F** is a true and correct copy of excerpts of the transcript of the
21 deposition of Mark Reinhold, taken on February 15, 2012.

22 9. Attached hereto as **Exhibit G** is a true and correct copy of excerpts of the transcript of the
23 deposition of John Rose, taken on February 15, 2012.

24 10. Attached hereto as **Exhibit H** is a true and correct copy of excerpts of the transcript of the
25 deposition of Hinkmond Wong, taken on February 16, 2012.

26 11. Attached hereto as **Exhibit H** is a true and correct copy of "A Better Consumer Survey for
27 Better Damages," IP Value Commentator (April 2003), <http://www.nera.com/extImage/5958.pdf> by Dr.
28 Alan J. Cox.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on February 24, 2012 at Oakland, California.

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DECLARATION OF FRED NORTON ISO ORACLE'S OPPOSITION TO GOOGLE'S DAUBERT MOTION
CASE NO. CV 10-03561 WHA

ATTESTATION OF FILER

I, Steven C. Holtzman, have obtained Fred Norton's concurrence to file this document on his behalf.

Dated: February 24, 2012

BOIES, SCHILLER & FLEXNER LLP

By: /s/ Steven C. Holtzman
Steven C. Holtzman

Attorneys for Plaintiff
ORACLE AMERICA, INC.